

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Hearing Date: December 16, 2010
10:00 a.m.

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In re:

OPERATIONS NY LLC,

CHAPTER 7

Case No. 10-13446 (SMB)

Debtor.

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**MOTION FOR ORDER PURSUANT TO F.R.B.P. 9001(5)(A) AUTHORIZING
AND DIRECTING DEBTOR TO COMPLY WITH 11 U.S.C. § 521 AND F.R.B.P.
4002, DESIGNATING MICHAEL LEEN AND MATTEO GOTTARDI AS
RESPONSIBLE PERSONS AND COMPELLING THEM TO PERFORM THE
DEBTOR'S OBLIGATIONS, INCLUDING FILING SCHEDULES PURSUANT
TO F.R.B.P 1007, AND AUTHORIZING TRUSTEE TO MOVE FOR ORDER OF
CIVIL CONTEMPT SHOULD THEY FAIL TO COMPLY**

TO: THE HONORABLE STUART M. BERNSTEIN,
UNITED STATES BANKRUPTCY JUDGE

Angela Tese-Milner, Esq., Chapter 7 Trustee ("Trustee") of the estate of
Operations NY LLC ("Debtor"), submits this motion and seeks entry of an order,
pursuant to Fed. R. Bankr. P. 9001(5)(A) authorizing and directing the Debtor to comply
with 11 U.S.C. § 521 and Fed. R. Bankr. P. 4002, designating Michael Leen and Matteo
Gottardi as responsible persons for the Debtor and compelling them to perform the
Debtor's obligations, including the filing of schedules pursuant to Fed. R. Bankr. P. 1007
and authorizing the Trustee to move to hold Michael Leen and Matteo Gottardi in civil
contempt should they fail to comply:

1. On or about June 29, 2010 ("Petition Date"), Chelsea/Village Associates LLC
("Chelsea") filed an involuntary petition under Chapter 7 of Title 11 of the United States
Code ("Bankruptcy Code") against the Debtor.
2. A summons was issued and timely served upon the Debtor on or about July 20, 2010.
See Doc. Nos. 2 & 3 on the Court's Docket. On or about August 20, 2010, the Court

entered an Order for Relief and Order to File Schedules and Other Documents. *See* Doc. No. 4 on the Court's Docket. Thereafter, Angela Tese-Miler was appointed interim Chapter 7 Trustee.

3. The Debtor has business offices located at 60 Mercer Street, New York, NY 10013. The Trustee is informed by counsel for the petitioning creditors that Michael Leen and Matteo Gottardi are co-owners and members of the Debtor. The Trustee is also informed that Michael Leen is located at 50 Prince Street, Apt. 11, New York, NY 10012 and Matteo Gottardi is located at 21 West Street, Penthouse A, New York, NY 10004, according to the addresses they both listed in a prior action.

4. The Debtor has failed to file schedules pursuant to Fed. R. Bankr. P. 1007, as directed by this Court. The Trustee therefore does not know the extent of the Debtor's assets and liabilities, nor does the Trustee have any information regarding the Debtor's creditors. As a result, the United States Trustees Office is unable to schedule an 11 U.S.C. § 341 meeting of creditors.

5. The Trustee asks this Court to designate Michael Leen and Matteo Gottardi, as responsible persons for the Debtor and to compel them to prepare and to file bankruptcy schedules pursuant to Fed. R. Bankr. P. 1007. In the event that the Debtor fails to comply within fifteen (15) days of the entry of this Court's order, the Trustee seeks authorization to move to hold Michael Leen and Matteo Gottardi in civil contempt.

6. The issues raised herein are not novel. The Trustee respectfully requests that this Court waive the requirement of Local Bankruptcy Rule 9013-1(b) for the filing of a memorandum of law in support thereof.

7. The Trustee has given notice of this application and proposed order by mailing the application, notice of motion and proposed order to Michael Leen, 150 Prince Street, Apt. 11, New York, NY 10012; Matteo Gottardi, 21 West Street, Penthouse A, New York, NY 10004; Kornfeld & Associates, P.C. Attn: Randy Kornfeld, attorneys for petitioning creditor, 570 Lexington Ave., 17th Floor, New York, NY 10022 and The Office of The United States Trustee, 33 Whitehall Street, New York City 10004.

WHEREFORE, the Trustee respectfully requests that this Court enter an order, substantially in the form annexed hereto, authorizing and directing the Debtor to comply with 11 U.S.C. § 521 and Fed. R. Bankr. P. 4002, designating Michael Leen and Matteo Gottardi as responsible persons and compelling performance of the obligations of the Debtor, including the filing of schedules pursuant to Fed. R. Bankr. P. 1007, authorizing the Trustee to move to hold Michael Leen and Matteo Gottardi in civil contempt should they fail to comply, and such other and further relief as this Court deems just and proper for which no prior motion has been made to this or any other Court.

Dated: New York, New York
November 16, 2010

LAW OFFICE OF ANGELA TESE-MILNER
Counsel for Interim Chapter 7 Trustee

By: /s/ A. Tese-Milner
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